

MICHAEL J. EADS,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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) Cause No. 4:08CV214 RWS
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This matter is before me on a Report and Recommendation to affirm the decision of the Commissioner of Social Security to deny Plaintiff disability insurance benefits and supplemental security income. Neither of the parties has filed an objection to this recommendation.

This matter was referred to United States Magistrate Judge Audrey G. Fleissig for a Report and Recommendation pursuant to 28 U.S.C. § 636(b). Judge Fleissig issued a Report and Recommendation on February 17, 2009 that recommended that the Commissioner's decision to deny benefits should be affirmed. Judge Fleissig found that the Administrative Law Judge's determination that Plaintiff was not entitled to benefits was supported by substantial evidence in the record.

Any objections to Judge Fleissig's Report and Recommendation had to be filed by March 3, 2009. Neither of the parties has filed an objection as of today's date.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge Fleissig is **SUSTAINED, ADOPTED AND INCORPORATED** herein. The Commissioner of Social Security's decision to deny disability benefits to Plaintiff is affirmed

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 4th day of March, 2009.